

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

RAYFORD MACK,

Plaintiff,

V.

STATE OF ALABAMA, et al.

Defendants.

CIVIL ACTION NO.:

2:07-CV-465-MHT

NOTICE OF DISMISSAL

COMES NOW Plaintiff, Rayford Mack, and dismisses his claims in the above-styled cause without prejudice pursuant to FRCP 41(a)(1)(i), as he no longer wishes to pursue this action and the defendants have not yet filed an answer or a motion for summary judgment.

Respectfully submitted,

/s/ Richard J. Ebbinghouse

Richard J. Ebbinghouse

Attorney for Plaintiff

OF COUNSEL:

WIGGINS, CHILDS, QUINN & PANTAZIS, L.L.C.

The Kress Building

301 19th Street North

Birmingham, Alabama 35203

(205) 314-0500

CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been electronically filed with the court's CM/ECF filing system this 29nd day of October, 2007 and the Clerk of the Court will serve counsel of record electronically:

Alice Ann Byrne
State Personnel Department
64 North Union Street
316 Folsom Administrative Bldg.
Montgomery, AL 36130
AliceAnn.Byrne@personnel.alabama.gov

Warren B. Lightfoot, Jr.
John B. Holmes, III
Abigail H. Avery
Maynard, Cooper & Gayle, P.C.
1901 Sixth Avenue North
2400 AmSouth Harbert Plaza
Birmingham, AL 35203-2618
wlightfoot@maynardcooper.com
jholmes@maynardcooper.com
aavery@maynardcooper.com

Sharon E. Ficquette
Department of Human Resources
Legal Office
P.O. Box 304000
Montgomery, AL 36130-4000
sharon.ficquette@dhr.alabama.gov

/s/ Richard J. Ebbinghouse
OF COUNSEL